

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2796 - SB 3020

March 5, 2012

SUMMARY OF BILL: Requires claimants for unemployment benefits to submit to a urine drug test. Requires the claimant to bear the cost of testing. Persons testing positive for controlled substances will be ineligible to receive benefits for one year unless that person completes a substance abuse treatment program in which case they may reapply after six months. Authorizes a person who fails a drug test to reapply only once. The cost of receiving substance abuse treatment shall be borne by the person receiving treatment. Requires each claimant to sign a written acknowledgement of understanding. States that this bill will only take effect to the extent that federal law does not prohibit such drug testing or the related requirements.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – According to the Department of Labor and Workforce Development, this bill is out of conformity with federal law; therefore, this bill will not take effect and the fiscal impact is not significant.

Assumptions:

- According to the Department of Labor and Workforce Development, this bill as written is out of conformity with federal law.
- Due to the language in Section 5 of this bill which states, "This part may only take effect to the extent that federal law does not prohibit such drug testing or its related requirements", there will be no fiscal impact resulting from this bill as written, and pursuant to Tenn. Code Ann. § 50-7-104, any state employment security statute not conforming to federal law shall be void and of no effect.
- This bill will not take effect; therefore, any fiscal impact is not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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